

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Mahatma Gandhi National Rural Employment Guarantee Scheme – The Mahatma Gandhi National Rural Employment Guarantee (Andhra Pradesh) registration of demand for work and payment of unemployment allowance Rules 2012 – Previous Publication – Orders - Issued.

* *

PANCHAYT RAJ AND RURAL DEVELOPMENT (RD-II) DEPARTMENT

G.O.Ms.No.300

Dated: 14.09.2012

Read the following:-

1. Mahatma Gandhi National Rural Employment Guarantee Act 2005.
2. G.O. Ms.No 550 PR & RD (RD-II) Dept., Dt. 06-12-2007.
3. G.O. Ms.No 185 PR & RD (RD-II) Dept., Dt. 20-06-2012.

-oOo-

ORDER:

Whereas the Central Government has enacted the Mahatma Gandhi National Rural Employment Guarantee Act 2005, providing a legal guarantee of at least hundred days of wage employment in a financial year to a rural household whose adult members volunteers to do unskilled manual work.

2. And, whereas to implement the said Act a scheme has been formulated and notified under reference 2 read above, under which, if an applicant for employment under the Scheme is not provided such employment within fifteen days of receipt of his application seeking employment or from the date on which the employment has been sought in the case of an advance application, whichever is later, he shall be entitled to a daily unemployment allowance in accordance with the Act.

3. Now, therefore, the Government of Andhra Pradesh have, in exercise of the powers conferred on the State Government under Section 32, read with Section 7 of Mahatma Gandhi National Rural Employment Guarantee Act, 2005, prescribe the system for registering the demand for work, provision of work, terms/conditions upon which eligibility for unemployment allowance may be determined and the procedure for payment of unemployment allowance;

4. Accordingly the following notification will be published in the extraordinary issue of the Andhra Pradesh Gazette dated: 14.09.2012

PRELIMINARY NOTIFICATION

In exercise of the powers conferred by sub-section (1) and sub-section (2) of section 32 read with section 7 of the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (Central Act No.42 of 2005), the Governor of Andhra Pradesh hereby makes the following Rules.

Notice is hereby given that the matter will be taken up for consideration after the expiry of 60 days from the date of publication of this notification in the Andhra Pradesh Gazette and the objection or suggestion if any, received before the

expiry of the said period will be considered by the Government of Andhra Pradesh Hyderabad.

Objections and Suggestions should be addressed to the Principal Secretary, Rural Development, Andhra Pradesh Secretariat, Hyderabad.

Chapter I

1. Short Title, Applicability & Commencement:

1. These Rules may be called "The Mahatma Gandhi National Rural Employment Guarantee (Andhra Pradesh) registration of demand for work and unemployment allowance Rules 2012".
2. These rules shall come in to force with immediate effect.

3. Definitions

- (a) "Act" means Mahatma Gandhi National Rural Employment Guarantee Act, 2005.
- (b) "Call Centre" is a grievance registration and redressal system that operates through telephone put in place by the Commissioner Rural Development.
- (c) "Electronic Muster and Measurement system" is a system where attendance of workers at the worksite is recorded by a field functionary and communicated using the software provided.
- (d) "Eligible households' means the household which has not crossed hindered days of work, or as specified by Government from time to time, during the current financial year.
- (e) "Field Assistant" is a person (or persons), appointed by the Programme Officer, from among the Srama Mitras in the Gram Panchayat who worked the longest as workers in the scheme or specified by Government from time to time, to assist the Gram Panchayat in implementing the scheme.
- (f) "Government" means Government of Andhra Pradesh
- (g) "Programme officer" means an officer appointed under section 15 (1) of the Act.
- (h) "Scheme" means Andhra Pradesh National Rural Employment Guarantee Scheme.
- (i) "Srama Sakti Sangham" is a group of workers registered under the scheme, voluntarily formed, for collaborating in programme implementation for ensuring the effective delivery of the entitlements provided under the Act.
- (j) "Srama Mitra" is a member of the Srama Sakti Sangham, identified by the group through consensus, for collaborating with Government in implementation of the scheme.
- (k) "State Employment Guarantee Fund" is created to hold all funds received from the Central Government or the State Government for the purpose of implementation of the Scheme.
- (l) "Wage Rate" is the wage rate prescribed by Central Government as per provisions of the Act for the State of Andhra Pradesh.
- (m) "Work allotment order" is a proceeding generated online by the Programme Officer containing the online muster identification, allotted work identification and the corresponding list of workers who demanded work.
- (n) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

Chapter II

Demand for and allotment of work

4. (a) Application for work can be filed by the Srama Sakti Sanghas or by any individual job card holder preferably in Format I and IA before the Gram Panchayat; and shall be registered and the Field Assistant or the Secretary of the Gram Panchayat shall give receipt in Format II and IIA.

(b) Application for work can also be registered in the Office of the Programme Officer or through the Call Centre.

5. The Programme Officer, on every Saturday, shall cause computerization/uploading of all applications for work received along with allocation of work to eligible households. For this purpose, the Programme Officer shall ensure that sufficient works are made available to match the demand for work.

6. The Programme Officer shall, by every Wednesday, generate work allotment orders online and ensure preparation of muster rolls through the Field Assistant concerned.

7. (a) The Field Assistants, acting on behalf of Gram Panchayat, shall be responsible for intimating the Srama Mitras about allocation of work and for starting of works on the following Thursday or Monday as the case may be, and in any case, not later than fifteen days from the date of request for work.

(b) The Field Assistant shall, be responsible for recording of attendance every day at the work site, using the electronic muster and measurement system.

Chapter III

Unemployment allowance

7. On every last working day of each month, the Programme Officer shall ensure generation of the list of eligible households who have applied for work but could not be allotted work within fifteen days from the date of request for work.

8. The list of households entitled for unemployment allowance, as generated above, shall be verified and confirmed by the Programme Officer on the last working day of each month, in accordance with the provisions of Section 7 and Section 9 of the Act; Provided that no allowance is payable if work could not be provided owing to circumstances beyond human control like natural calamities.

9. The households confirmed for receipt of unemployment allowance shall be eligible for payment of unemployment allowance for all working days till work is provided for at least one adult member of such household, or till the household reaches hundred days of work during the financial year, whichever is lesser.

10. The Unemployment allowance shall be computed by allowing 25% of the wage rate for first thirty days of non-provision of work, and 50% of the wage rate for the remaining period of hundred days during the financial year.

11. The Programme Officer shall generate proceedings for payment of unemployment allowance computed in the manner prescribed above, for an online and direct deposit of the same in the bank/postal account of the head of the household, duly debiting the State contribution in the State Employment Guarantee Fund.

12. The Programme Officer shall be responsible to ensure that the unemployment allowance generated is disbursed publicly and in a transparent manner in the village, within fifteen days from the date of generation of such allowance.

Chapter IV: Dispute Redressal

13. All disputes regarding application, provision of work and payment of unemployment allowance shall be referred to the District Programme Coordinator, who shall, call for the records and after hearing both parties shall dispose of the application within fifteen days from the date of such complaint in writing.

14. Any person aggrieved by the order of District Programme Coordinator may prefer an appeal to the Director National Rural Employment Guarantee Act within fifteen days of receipt of such order, who shall, dispose of the appeal within thirty days from the date of such appeal.

Chapter V Penalties

15. Any functionary mandated to discharge a duty under these Rules but failed to do so shall be liable for disciplinary action and shall also be liable for punishment as per Section 25 of the Act.

16. Any person who is already in gainful employment but deliberately conceals the information and seeks employment under these rules, or claims unemployment allowance and accepts employment elsewhere without bringing this fact to the notice of the Programme Officer, shall be liable for prosecution under the relevant provisions of law under the Indian Penal Code 1860.

FORM-I GROUP APPLICATION FOR EMPLOYMENT

DATE.....

Application No.....

To
The Panchayat Secretary
Gram Panchayat..... Mandal..... District.....

Sir/Madam

We request you to provide us unskilled work in accordance with the MGNREG Act for the period and dates of work given below. And we hereby undertake that we will work as per your directions for the said period.

Sl.No.	Name	Family Employment Card No.	Individual ID.No.	Signature /Thumb Impression
1	2	3	4	5
1				
2				
3				
4				
5				

Work needed from: _____ (date) To: _____ (date)

Name and signature of Srama Mitra

FORM -II
RECIEPT OF APPLICATION FOR WORK
Application No.....

Date of Receipt of Application.....

Demand from: _____ (date) To: _____ (date)

Date of Employment to be provided.....

Work proposed to be allotted:

Signature of Panchayat Secretary/Field Assistant

FORM-IA
APPLICATION OF THE INDIVIDUAL FOR EMPLOYMENT
DATE.....
Application No.....

To

The Panchayat Secretary

Gram Panchayat.....

Mandal.....

District.....

Sir/Madam

I.....S/o_____

,D/o ,W/o.....Employment Card No,request to provide unskilled work in accordance with the MGNREG Act for.....days fromto..... and my ID No is.....

And I here by undertake to work for at least 14 days as ordered by you.

Signature of the Applicant.

FORM -II A

RECIPT OF APPLICATION FOR WORK

Application No.....

Date of Receipt of Application.....

Demand from: _____ (date) To: _____ (date)

Date of Employment to be provided.....

Work proposed to be allotted: _____

Signature of Panchayat Secretary/Field Assistant

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**R SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT**

The Commissioner, Printing, Stationery and Stores Purchase (Printing wing), Government Printing Press, Chanchalguda, Hyderabad with a request to publish the Notification in the next issue of extraordinary Gazette

The Commissioner, Rural Development, AP., Hyderabad

The Director, MGNREGS – AP

The District Collectors and District Programme Coordinators

The Project Directors, DWMA's and Addl.Dist.Programme Coordinators

The Project Directors, DRDA's and Addl.Dist.Programme Coordinators

The Chief Executive Officers, ZPs and Addl.Dist.Programme Coordinators

The Project Officer, ITDA and Addl. Dist. Programme Coordinators

The Commissioner, Panchayat Raj, AP., Hyderabad

The Commissioner, Tribal Welfare, AP., Hyderabad

The Commissioner, AMR APARD, Rajendranagar, Hyderabad

Copy to:

The Accountant General, AP, Hyderabad.

The Director of Treasuries and Accounts, A.P. Hyderabad.

The Special Secretary to Hon'ble Chief Minister.

PS to Minister (RD, RWS & EG).

Private Secretaries to all Ministers

PS to Chief Secretary to Government.

Law (A) Department

PS to the Principal Secretary to Government (RD).

The PR&RD (Genl) Department,(2 copies).

//FORWARDED :: BY ORDER//

SECTION OFFICER

